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Security Council

Sixty-fourth year

Provisional

6119th meeting

Tuesday, 5 May 2009, 10.15 a.m.

New York

President:	Mr. Churkin	(Russian Federation)
Members:	Austria	Mr. Mayr-Harting
	Burkina Faso	Mr. Koudougou
	China	Mr. La Yifan
	Costa Rica	Mr. Urbina
	Croatia	Mr. Skračić
	France	Mr. Lacroix
	Japan	Mr. Takasu
	Libyan Arab Jamahiriya	Mr. Shalgham
	Mexico	Mr. Heller
	Turkey	Mr. İlkin
	Uganda	Mr. Rugunda
	United Kingdom of Great Eritain and Northern Ireland	Mr. Parham
	United States of America	Ms. Rice
	Viet Nam	Mr. Bui The Giang

Agenda

Letter dated 22 November 2006 from the Secretary-General addressed to the President of the Security Council (S/2006/920)

Report of the Secretary-General on the request of Nepal for United Nations assistance in support of its peace process (S/2009/221)

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The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

Letter dated 22 November 2006 from the Secretary-General addressed to the President of the Security Council (S/2006/920)

Report of the Secretary-General on the request of Nepal for United Nations assistance in support of its peace process (S/2009/221)

The President (*spoke in Russian*): I should like to inform the Council that I have received a letter from the representative of Nepal in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration of the item, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Acharya (Nepal) took a seat at the Council table.

The President (*spoke in Russian*): I propose, with the consent of the Council, to extend an invitation under rule 39 of its provisional rules of procedure to Ms. Karin Landgren, Representative of the Secretary-General in Nepal.

It is so decided.

I invite Ms. Landgren to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General on the request of Nepal for United Nations assistance in support of its peace process (S/2009/221).

At this meeting, the Security Council will hear a briefing by Ms. Karin Landgren.

I now give her the floor.

Ms. Landgren: The report of the Secretary-General now before the Council (S/2009/221) provides an overview of developments in Nepal's peace process and a midterm review of the mandate of the United Nations Mission in Nepal (UNMIN), as requested by the Council. It describes long-awaited steps by the Government of Nepal towards resolving the continued existence in the country of two armies and also toward the discharge of some 4,000 disqualified Maoist army personnel, including minors.

Since January 2009, there have been public consultations on the new Constitution, and the Constituent Assembly has continued to develop concept papers. Several long-dormant Government bodies have been revived, and in April by-elections were held in six constituencies in a relatively peaceful and orderly atmosphere. The progress has been, in the language of the report, not insignificant, and the tone of the report is thus guardedly positive.

The report, however, also warns of difference among political parties, the high level of acrimony and weak consultation over major decisions and the atmosphere of mistrust. It notes the persistent tension between the Ministry of Defence and the Nepal Army with the political parties publicly lining up to support one or the other. And in the fortnight or so since this report was written, the deeply polarizing political stand-off between the Nepal Army and the leader of the governing coalition, the Unified Communist Party of Nepal-Maoist (UCPN-M), has come to a head culminating in the resignation yesterday of Prime Minister Pushpa Kamal Dahal "Prachanda".

In the lead-up to that event, considerable gaps had opened in the interpretation of the powers of the President and the chiefs of Nepal Army staff, and the Supreme Court had become increasingly drawn into adjudicating such conflicts of interpretation. The Maoists have seen in the position taken by the Army chiefs and the other main political parties an attempt to undermine their leadership of the Government, while their detractors consider the Maoists' actions as proof of their intention to capture State power.

Those developments have serious implications for the functioning of government and for the nature of the State to be shaped by Nepal's next Constitution. In the short term, there is a risk of paralysis, with possibly protracted negotiations on forming a new Government and a stalling of preparations for the discharge of the

disqualified and the integration and rehabilitation of verified Maoist army personnel.

The Prime Minister's resignation followed a number of developments over the past two weeks. On 20 April, the Cabinet requested General Katawal to provide clarification of three recent situations. Under the Army Act, the chief of the Army can be dismissed by the Government, if it deems it necessary, after being given the opportunity to provide clarification, and that request was widely thought to herald the chief's imminent dismissal.

The first of the three situations was the recruitment by the Nepal Army of more than 3,000 new personnel in late 2008, notwithstanding a prohibition in the Comprehensive Peace Agreement of November 2006 and the Agreement on Monitoring the Management of Arms and Armies on the recruitment of additional personnel by either the Nepal Army or the Maoist army. Mr. Ian Martin, former Special Representative of the Secretary-General, described that situation in detail to the Council in his 16 January briefing (see S/PV.6069), which is a matter of public record. UNMIN has taken the position since 2007 that any recruitment by either army would violate those agreements. The Army was directed by the Government to stop the recruitment, but it did not.

The second situation concerned the Army's reinstatement of eight retiring brigadier generals whose services were not recommended for extension by the Ministry of Defence, and the third concerned the withdrawal of Nepal Army participants from several events at the national games after Maoist army athletes were allowed at the last minute to take part.

The issue of Nepal army recruitment and that of the brigadier generals' non-extension have been brought before the Supreme Court, which is expected to rule on both issues this month. The broad charge levelled by the Prime Minister was that the Army chief had repeatedly defied the authority of the elected Government. In his response to the Prime Minister's Office, on 21 April, the Army chief reportedly stated that he had never challenged legitimate civilian authority over the Government, while also claiming that the Prime Minister lacks the constitutional authority to fire him.

Since the elections in April last year, which brought the Maoists to power, senior Army officers have repeatedly asserted that only the Nepal Army stands between the country and totalitarianism. The Maoists have contributed to feeding such fears through continued references to capturing State power. On 24 April, some media sources carried a detailed account of plans for a military coup, sourcing the story to senior Army officers.

The Prime Minister had said that he intended to resolve this issue through consensus and had reportedly secured the agreement of the leaders of the largest governing coalition partner, the Communist Party of Nepal (Unified Marxist-Leninist) (UML), as well as the major opposition party, the Nepali Congress, to remove the Army chief. However, in the days after 19 April, the party political dynamics shifted rapidly and such agreements as there may have been fell apart. On 3 May, the UML pulled out of the Government, leaving the Unified Communist Party of Nepal-Maoist (UCPN-M) in a minority.

The active profile of the President, Ram Baran Yadav, as those events unfolded raised constitutional questions and eroded relations between his Office and that of the Prime Minister. On 3 May, the Cabinet, boycotted by some members of the coalition Government, formally decided to sack the Army chief, and the Prime Minister appointed the second-in-command of the Army, Chief of General Staff Kul Bahadur Khadka, to act in the top post. The Prime Minister also gave a letter of dismissal to General Katawal.

Late in the evening of 3 May, the President wrote to the Army chief, instructing him to continue in his post. The President noted that the Interim Constitution designated him as the protector, patron and Supreme Commander of the Nepal Army and that steps taken by the Government to dismiss the Army chief and appoint a new chief had been constitutionally and procedurally incomplete. In a public statement yesterday, the President said that his directive did not violate constitutional provisions, as the UCPN-M had not consulted with its coalition partners.

The Prime Minister had previously threatened to take his party out of the Government, if no satisfactory compromise were found, and he did so yesterday, 4 May. In his televised address to the nation, Prime Minister Prachanda urged the nation to respect the peace process and the letter and spirit of the Interim Constitution, saying that his resignation was intended to allow a way out of the ongoing political crisis. He criticized "foreign and international forces" for

interfering in Nepal's politics and for undermining national integrity and sovereignty.

This is a volatile moment in Nepal's peace process. The aim of the process in 2005 was to end the war and hold a Constituent Assembly election towards building a more democratic Nepal. It was premised on the recognition that the decade-long conflict could not be resolved militarily. The Maoists hold 40 per cent of the seats in the Constituent Assembly — more than twice the number of any other party — and the Constitution cannot be completed without their support. Significant progress has been made, including the successful conduct of the elections, the ongoing work of the Constituent Assembly and the declaration of a Republic, which brought a peaceful end to the monarchy. However, many challenges remain. The challenges from the Army chief to control and oversight by an elected Government, and the countermanding of a Cabinet order by the President, have exposed ambiguities in the Interim Constitution and deepened mistrust among the parties, and they have also empowered actors who are expected to remain above politics. The development of multiple power centres represents a real risk to the peace process.

In announcing his resignation, the Prime Minister pledged to continue to fulfil his party's peace process commitments while in opposition. Many such commitments remain to be fulfilled — above all, the drafting of a Constitution and the integration and rehabilitation of Maoist army personnel. The Maoist army has only recently come under the authority of the State through the Special Committee — formed, in accordance with article 146 of the Interim Constitution, to supervise, integrate and rehabilitate Maoist army combatants — which held its first meeting on 16 January. A Technical Committee, established on 27 March, has spent its first three weeks in dedicated activity, undertaking consultations, including visits to Maoist army cantonment sites, and, after a short hiatus, has now quietly resumed meeting. Senior Maoist army personnel challenged the Technical Committee to act independently of party political affiliation, which the Committee has pledged to do.

Under the peace process agreement of 25 June 2008, the Special Committee was to reach and implement decisions on integration and rehabilitation within six months. However, the Army chief has taken a restrictive stance on the integration into the Nepal Army of former Maoist army personnel. Even befo the current political developments, both the Spec Committee and the Technical Committee said that th were unlikely to be able meet that deadline. T question is whether the situation of the Maoist arm can be satisfactorily resolved if the Maoists rema outside the Government.

As the Council is aware, UNMIN now has a ve substantially reduced presence in Nepal, with 2 personnel, including 73 arms monitors. UNMIN priority is to encourage full implementation of t Comprehensive Peace Agreement and, to that end, conduct its monitoring responsibilities, including t management of the Joint Monitoring Coordinati Committee, the dispute-resolution mechanism th brings together senior officers of the Nepal Army an the Maoist army. Since late March, UNMIN has le discussions with the Ministry of Peace an Reconstruction on the discharge of disqualified Maoi army personnel, including minors. Together with t United Nations Development Programme and UNICE we seek a successful discharge and reintegrati exercise that meets international standards, wi adequate access by independent monitors and genuin removal of the disqualified from military supervision.

The Office of the United Nations Hig Commissioner for Human Rights in Nepal is mandate to monitor the human rights situation, advise th Government on human rights matters and provid technical cooperation to strengthen national huma rights institutions. That mandate will expire on 9 Jun five weeks from today. Its extension, for which Nepal main political parties have expressed support, shoul not become a victim of the present fluid situation.

Unfulfilled commitments are the Achilles heel o the peace process, and they threaten the peac dividends that the people of Nepal expect and so richl deserve. Last year's elections marked a stron beginning towards fulfilling the commitment to greate political inclusiveness. The Government's subsequen dialogue with agitating ethnic and indigenous group has remained fairly perfunctory, with weak follow through. Security in the Tarai remains a matter o serious concern, with many active armed groups an general impunity for those engaged in violence. Ther is a risk that the latest political developments wi divert the already limited attention being paid to thes issues.

In the present situation, there is a serious deficit of trust among the principal political actors. Since January, issues relating to the Agreement on Monitoring of the Management of Arms and Armies and decisions by the Defence Ministry over the army have been brought to the Supreme Court, as has now the President's decision to countermand the Cabinet decision on the Army chief. This frequent recourse to the Court is a manifestation of weak political agreement and an absence of other effective mechanisms. A high-level, multiparty monitoring mechanism was envisaged in the peace agreements. It is still needed and should be formed.

The peace process that Nepal has driven forward since 2005 has been remarkable, and the events of 2008 were of historic magnitude. The parties should urgently take steps to rebuild trust and work together in the spirit of compromise and consensus that is needed to protect these achievements and to ensure further progress in the coming weeks and months. The next key steps — addressing the future of the Maoist army personnel and drafting the new constitution — will be extremely difficult to achieve without a greater degree of political cooperation and a common vision. An inclusive, concerted and well managed consultative process is vital to ensuring successful and timely outcomes for both issues.

The President (*spoke in Russian*): I thank Ms. Landgren for her briefing.

I now give the floor to those Council members who wish to make statements.

Mr. Parham (United Kingdom): I would like to start, Sir, by congratulating you on your assumption of the presidency of the Council for this month and thanking Ambassador Heller for his excellent presidency of the Council last month.

The United Kingdom very much welcomes the Secretary-General's latest report (S/2009/221) on the United Nations Mission in Nepal (UNMIN). We are also grateful for today's briefing by the Representative of the Secretary-General, Ms. Karin Landgren.

We are deeply concerned by recent developments on the ground and share the Secretary-General's regret, expressed in his 4 May statement, at the events leading up to Prime Minister Prachanda's resignation. But, like the Secretary-General, we are also encouraged by the Maoist party's assurances of its commitment to the peace process and by the comments from across the political spectrum stressing the importance of proceeding on the basis of consensus.

Given recent developments, it is all the more important that we hold all the political parties in Nepal to commitments made under the Comprehensive Peace Agreement. All of us in the international community have a role to play here. We must support Nepalese efforts to resolve this crisis in a way that does not jeopardize the important gains made since the Agreement was signed in 2006 — gains rightly highlighted in the Secretary-General's report.

We will need to monitor the situation very closely in the coming weeks and months. An objective assessment of the situation on the ground will be an important part of the Council's deliberations ahead of the end of UNMIN's mandate on 23 July. In that regard, we believe that it is important that the Secretary-General's next report include analysis of the implications of recent developments for the future of the peace process and for the role played by the United Nations and wider international engagement in Nepal.

However, it is important that we not seek to reach such conclusions prematurely. Our and UNMIN's immediate efforts must be focused on helping the Nepalese peacefully to overcome this crisis and to move forward. Even if a solution can be reached quickly, it is clear that much remains to be done. Even before the current crisis, the Nepalese authorities' prediction that the integration process could be completed by 15 July looked unrealistic. In our view, that is and remains a substantial process involving complex decisions that require political commitment by all parties in the spirit of the peace process agreements.

For our part, we will continue to offer our full and active support to the people of Nepal and to the peace process.

Ms. Rice (United States of America): I want to congratulate you, Sir, on assuming the presidency of the Council and to underscore our eagerness to work closely with you in the month ahead. I also want to thank Ambassador Heller for his truly exceptional leadership of the Council last month during a challenging period. We are very grateful.

I would like to begin by thanking Ms. Karin Landgren, the Representative of the Secretary-General

in Nepal. We are pleased to welcome her here for the first time in her new role and we are grateful for her briefing. We also want to thank her and her staff for their efforts to carry out the mandate of the United Nations Mission in Nepal (UNMIN) and to help the people of Nepal move forward with the peace process.

The events that have shaken Nepal over the past few days, leading to the 4 May resignation of the Prime Minister, make it abundantly clear that Nepal's leaders must re-commit themselves to implementing the Comprehensive Peace Agreement. We in the United States urge all parties to abide by the Interim Constitution and to use it as a basis for resolving the current impasse. Political parties must engage in dialogue to resolve their disputes and must, as appropriate, resort to the courts. As Nepal's political parties move to end the current stand-off, they should ensure the continuity of legitimate and effective government. The resignation of the Prime Minister must not be allowed to create a political vacuum, and the formation of a new Government must not drag on for months.

We certainly remind all political parties of the need to avoid tactics that might lead to bloodshed, including large demonstrations, calls for general strikes and provocative statements and actions. In particular, we urge the Communist Party of Nepal (Maoist) to remain involved in the political process. That includes participating in the Constituent Assembly and in all peace process-related bodies, including those related to the effort to draft a constitution.

The continued misuse of political youth groups also threatens the peace process. The United States urges the Communist Party of Nepal (Maoist) to renounce all violence committed by its militant Young Communist League and to take concrete steps to transform that group into an exclusively non-violent one. Equally, we urge other parties to do the same with their own youth wings and to ensure that their activities are peaceful and constructive.

The Special Committee should now continue its consultations, and the newly established Technical Committee should move to implement its decisions. As one step forward, we hope that the Government of Nepal will move immediately to adopt the suggestions of the Secretary-General's Representative, to consolidate arms and soldiers into fewer cantonments and to discharge minors.

We very much hope that the people of Nepal and their leaders will not lose sight of the enormous progress that they have made towards establishing peace. They have peacefully ended a violent insurgency and started a process of reconciliation that holds the promise of long-term security, stability and peace. Those accomplishments must not be threatened by a failure to implement parts of the Comprehensive Peace Agreement that were fully agreed to by all parties, but for now those achievements remain at risk while so many important aspects of the Comprehensive Peace Agreement are still unfulfilled.

The Maoist-led Government and the Nepal Army must recognize that lasting democracy is rooted in the principle of civilian control of the military and depends on the prudent exercise of that control. As the Secretary-General's report notes, some progress has been made towards integrating the People's Liberation Army and the Nepal Army, but those advances are threatened by infighting. Like the presidential statement before the Council today, we call on Nepal's Government and all political parties to recommit themselves to working together in the spirit of the Comprehensive Peace Agreement and under the terms of the Interim Constitution. The parties should ensure continuity of Government, strengthen multiparty democracy and protect and promote human rights.

As the end of UNMIN's current mandate approaches next month, we will look forward to consulting with Nepal's leaders and our Council colleagues on how best the Council can contribute to lasting peace and stability in Nepal. The country has come too far to let itself fall back.

Mr. Takasu (Japan): I should like to congratulate you, Sir, on your assumption of the presidency for the month of May. Our appreciation goes also to Ambassador Heller and his team for their excellent leadership during the month of April.

At the outset, I wish to thank Ms. Karin Landgren, Representative of the Secretary-General in Nepal, for her detailed briefing on the activities of the United Nations Mission in Nepal (UNMIN). I should also like to pay tribute to Mr. Ian Martin, former Special Representative of the Secretary-General for Nepal, who concluded his excellent work in February.

I would like to begin by expressing deep concern about the political developments of the past few days, following the announcement of the dismissal of the

chief of Army staff and the resignation of the Prime Minister. These may have serious implications for the future democratic process in Nepal. We fully support the Secretary-General's appeal to all concerned for restraint and political consensus.

The United Nations has been actively engaged in the peace process since the Comprehensive Peace Agreement was concluded in 2006. During the more than two years of UNMIN's presence, the people of Nepal and the parties concerned have achieved historic breakthroughs despite continuing challenges. The election of a Constituent Assembly and the transformation to a federal democratic republic are commendable achievements. We highly value the vital supporting role of UNMIN and appeal to all concerned to strictly adhere to the Comprehensive Peace Agreement.

Consultations on a new constitution have been making steady progress. Given the vital importance of drafting a document so basic to the future course of the country, we understand the cautious approach taken by the people of Nepal, as long as it is well grounded in peaceful political dialogue. Despite the recent political developments, we are encouraged by the Maoist party's assurances of its commitment to the peace process, including continued participation in the drafting of the constitution. We urge the people of Nepal to maintain the momentum they have generated so far and to see their efforts through to fruition.

The demobilization and integration of Maoist soldiers is a greater challenge. The Special Committee has begun its work and has established a Technical Committee. But this still remains a task that is fundamental to the peace process and is very difficult to achieve. Based on the latest assessment by the Secretary-General, we are concerned that it may not be realistic to expect the necessary work to be completed within the next three months.

The parties need to engage in consultations among themselves, in good faith and in a spirit of cooperation, in order to reach a decision on the structures of security institutions. Despite the recent political turbulence centred on recruitment for the Nepal Army and the People's Liberation Army, the status of senior officials of the Army and the resignation of the Prime Minister, we hope that all parties will remember why and under what conditions they embarked on this peace process three years ago. It was the outcome of the wisdom and courage of the people of Nepal to take the initiative to bring a long conflict to an end. All parties should adhere to the Agreement on Monitoring the Management of Arms and Armies, which clearly and specifically stipulates restrictions on the Nepal Army and the People's Liberation Army.

It is time for the parties to demonstrate such wisdom again, by resolving outstanding issues which block the way towards durable peace and prosperity for the country. Most urgently, a solution should be found regarding how the 19,000 Maoist army personnel who have been confined to the cantonments for two years can contribute to the reconstruction and development of the country.

Japan sincerely hopes that all parties engage actively in political dialogue and make best use of the technical expertise and support provided by UNMIN. We look forward to UNMIN following through on its successful supporting role.

I would like to conclude by reiterating Japan's commitment to the peace process in Nepal.

Mr. La Yifan (China) (*spoke in Chinese*): The Chinese delegation is pleased to see you, Sir, holding the presidency of the Security Council for the month of May. We also wish to thank Ambassador Heller for his outstanding leadership as President of the Security Council during the month of April.

I wish to thank Ms. Karin Landgren, Representative of the Secretary-General in Nepal and head of the United Nations Mission in Nepal (UNMIN), for her briefing. I thank her and UNMIN for their hard work.

The Constituent Assembly of Nepal has begun its work and will be able to complete the drafting of the constitution by May 2010. The integration and rehabilitation of the Unified Communist Party of Nepal-Maoist (UCPN-M) combatants has been moving forward steadily. The demobilization of disqualified soldiers is under way, and the Government of Nepal has promised to complete that task by 15 July. We view this important progress positively, and we appreciate the tireless efforts of the political parties and the people of Nepal to that end.

We take note of the latest developments in Nepal. We hope that the parties concerned will keep the overall situation in mind, handle their differences

appropriately and make a joint effort to safeguard the peace process in Nepal. We expect and believe that the Government and the people of Nepal have the ability and wisdom to continue their efforts, through dialogue and consultation, to resolve all the legacy issues that continue to impede the peace process and that, on the basis of the plans that are in place, they will achieve lasting peace, stability and development.

The entire staff of UNMIN is fully dedicated and has been making positive contributions to the peace process in Nepal; it has our appreciation. We encourage UNMIN to continue to properly monitor arms and armies in accordance with the mandate of the Security Council and to cooperate actively with the Special Committee with a view to completing, at an early date, the integration and resettlement of the UCPN-M combatants.

It should be pointed out that, in the final analysis, the peace process in Nepal should be led by the people of Nepal. We believe that, with the support of the international community, Nepal will be able to re-embark on the path towards peace and development.

Mr. Bui The Giang (Viet Nam): Let me join previous speakers in congratulating you, Sir, on your assumption of the presidency for the month of May. You may rest assured, as always, of our full support and cooperation. We wish also to congratulate Ambassador Claude Heller and the Mexican delegation and to thank them for their excellent presidency last month. I thank Ms. Karin Landgren, Representative of the Secretary-General, for her up-to-date briefing.

My delegation takes positive note of the overall relatively calm and stable security situation in Nepal during the reporting period. We share the sense of cautious optimism described in the report of the Secretary-General (S/2009/221) regarding progress on major components of the peace process in Nepal, in particular those related to the drafting of the constitution and discussions on the future of the two armies.

At the same time, we share the common concern about a number of unresolved issues — related essentially to ethnic and political groups, the form of governance and the new federal structure of the country. We are particularly worried about the latest political rift in the Nepalese leadership. We call upon all political parties to exercise restraint and give top priority to stability by promoting national unity and resuming dialogue, in the spirit of compromise and reconciliation, to expedite the peace process. We hope that all parties in the Government of Nepal will build upon the hard-won progress made so far in order to continue to work together for the common good of the whole nation.

Given the outstanding role played by the United Nations Mission in Nepal (UNMIN), we commend the Mission for its efforts in the area of arms monitoring and supporting the work of the Special and Technical Committees in the past reporting period. Taking into consideration the Nepalese Prime Minister's request for further support from UNMIN for both the Special and Technical Committees and bearing in mind the ownership of the country's peace process by the Nepalese Government and people, we believe that UNMIN should maintain its close cooperation with the Government of Nepal and other United Nations agencies to help sustain peace and stability and expedite the necessary activities within its mandate to complete its tasks. We reaffirm our support for the role of the United Nations in coordinating international development assistance for Nepal. We join in the commitment made by the international community to support the peace and development process on which the Nepalese people and Government have embarked.

Mr. İlkin (Turkey): Let me start by congratulating you once again, Sir, on your assumption of the presidency of the Security Council. You have our full support and cooperation in the discharge of your duties. My warmest thanks also go to Ambassador Heller, who presided over the Security Council last month with great success. I also wish to thank Ms. Karin Landgren for her briefing. As this is the first time that she addresses the Council, I take this opportunity to congratulate her on the assumption of her duties. I wish her every success. I would also like to thank the Secretary-General for his informative report (S/2009/221), which reflects recent developments in the country in an accurate and objective manner. In that regard, we share the Secretary-General's cautious optimism as to the implementation of the peace process.

Since the beginning of this year, there have been a number of concrete developments. In that regard, the regular consultations on the integration and rehabilitation of Maoist army personnel and the progress achieved by the Constituent Assembly in drafting a constitution are indeed worth underlining.

We also welcome the appointment of the members of the National Security Council, which has met for the first time in six years to make recommendations on the mobilization, operation and use of the Nepal Army.

However, as reported by the Secretary-General, the level of cooperation among the major stakeholders in the peace process remains far from adequate. In fact, the resignation yesterday of Prime Minister Prachanda was a stark manifestation of the situation. As such, the decision of the Prime Minister and what it entails for the political stability of the country are a source of significant concern. We sincerely hope that the Government crisis will be resolved swiftly and in a democratic manner and not constitute a major setback. It should in no way jeopardize the peace process.

Accordingly, we call on all parties in Nepal to work together in the spirit of compromise and cooperation that is necessary to keep the peace process on track. As we see it, it is the common responsibility of all political actors to continue to adhere to the principles and the understanding that led to the signing of the Comprehensive Peace Agreement in November 2006.

Along the same lines, the United Nations Mission in Nepal (UNMIN), which has been most helpful throughout the peace process, obviously has an important role to play in this new situation too. Indeed, UNMIN seems to enjoy the full confidence and support of all Nepalese parties. We need to make the best use of UNMIN. At this point, I very much look forward to hearing the views and assessment of Ms. Landgren as to what more could be done to facilitate the resolution of the crisis through democratic means. On the other hand, as to the future of UNMIN, I find the discussion on possible exit strategies for UNMIN a bit premature, especially in the light of the current situation. Indeed, the urgent need now is to address the current political crisis and to support all efforts that will keep the peace process on track.

The United Nations and the international community must remain committed to supporting the process on which Nepal has embarked for the consolidation of peace and the improvement of the lives of its people. As such, the main conditions for ending the United Nations Mission — namely, political stability and peaceful coexistence — are yet to be achieved fully. The Council should therefore continue to monitor closely the political situation in Nepal with a view to reaching the right conclusions before 23 July 2009.

Finally, we support the draft presidential statement before the Security Council, which reflects the expectations of the Council with regard both to Nepal and to UNMIN.

Mr. Heller (Mexico) (*spoke in Spanish*): First of all, allow me to congratulate you, Sir, on your assumption of the Presidency of the Security Council for this month. We are confident that, under your guidance, the success of the Council's work is more than guaranteed. I am also certain that you will have the cooperation of all the members of the Security Council, just as we did during our presidency in April.

I would like to thank Ms. Karin Landgren, Representative of the Secretary-General in Nepal, for her detailed briefing today on the situation in the country and the work of the United Nations Mission in Nepal (UNMIN). My delegation is grateful to Ms. Landgren, who has assumed, with great professionalism and sense of responsibility, the duties that the Secretary-General has conferred upon her as she succeeds Mr. Ian Martin. We trust that Ms. Landgren will continue to make efforts to contribute to and achieve normalization in the political situation in Nepal, as well as to finalize pending matters in the peace process.

Until just a few days ago, the report (S/2009/221) before us today could have been read against a backdrop of optimism as a result of the significant progress made in recent months with regard to the peace process in Nepal. The Special Committee, which is charged with overseeing the integration and rehabilitation of the Maoist army, met for the first time on 16 January, shortly before the adoption of resolution 1864 (2009). It has since held various meetings to begin fulfilling its mandate and established the Technical Committee, which will be entrusted with supporting the Special Committee. Likewise, there has also been progress in the drafting of the constitution and the establishment of the Constitutional Council and the National Security Council, which have held their first meetings after several years of deadlock on this issue.

Despite all that, events in recent days have led to a political crisis in Nepal that could jeopardize the peace process as a whole. As other members of the Council have done this morning, my delegation would

also like to express its great concern at the events that have taken place, whose consequences are yet to be fully known. We therefore call on all the parties concerned to resume dialogue as soon as possible, so as to continue to strengthen national unity and successfully conclude the peace process.

In the light of the current crisis between the President and the Prime Minister, we believe it particularly relevant to recall that recruitment by either of the two former opposing armies constitutes a violation of the Comprehensive Peace Agreement. We support the work that UNMIN has done in that regard. In order to emerge from the current stalemate and avoid the risk of a more serious crisis, it is necessary to have the cooperation of all actors and political parties involved in the process of reconciliation and national unity in Nepal.

Addressing pending aspects of the peace process — such as the establishment of a new constitutional order, the integration and rehabilitation of Maoist army personnel and the demobilization of minors involved in the conflict — requires constructive coordination among the parties and the support of the international community.

Similarly, given the central place of human rights in the peace process as indicated in the report of the Secretary-General, my Government calls upon the Government of Nepal to continue its cooperation with the Office of the United Nations High Commissioner for Human Rights.

Finally, my delegation believes that the adoption of the draft presidential statement that has been prepared is extremely timely and appropriate.

Mr. Mayr-Harting (Austria): First of all, Sir, let me congratulate you on your assumption of the presidency of the Council for the month of May. We look forward to close cooperation with you. I should also like to thank Ambassador Heller of Mexico for his presidency last month, under truly challenging circumstances.

I wish to thank Ms. Karin Landgren, Representative of the Secretary-General in Nepal, for her comprehensive briefing and, especially, for the update she gave us on ongoing developments.

Austria shares the serious concern expressed by other speakers about the current political crisis in Nepal. The dispute between Prime Minister and the Nepal Army, which was followed by the Prime Minister's decision to resign, has clearly aggravated the rift between political parties and deepened the existing atmosphere of mistrust. It is of great importance for all parties in Nepal to exercise restraint and to re-engage in a cooperative and inclusive political dialogue with the aim of overcoming the current impasse. In particular, we hope for the expeditious formation of a stable Government that enjoys the widest possible consensus. It is the responsibility of all Nepalese stakeholders to ensure that the peace process, which had finally seen promising progress in recent months, does not lose its momentum once again.

Let me add that Austria was indeed encouraged by the positive developments in the peace process that had taken place over the first three months of this year, including progress made on the process of drafting a constitution. We wish a peaceful and prosperous future for the people of Nepal. Reaching agreement on the form of governance and a federal structure for the country is clearly a challenge that bears great significance for Nepal's future. As I said on an earlier occasion, as a country that has specific expertise in these matters, Austria is prepared to offer support and expertise.

Progress had also been made on disarmament and demobilization, in particular with regard to the issue of the integration and rehabilitation of Maoist army personnel. It is very unfortunate that, in spite of the declared determination and the efforts shown by the political parties in Nepal to work together in a constructive manner in the framework of the Special Committee and the Technical Committee, this issue now seems to be at the core of the current crisis. We appeal to all the parties concerned to adhere to the Comprehensive Peace Agreement and all related agreements and encourage them to resume their work as soon as possible.

In this context, we are also concerned about the fact that the discharge from the Maoist army cantonments of nearly 3,000 Maoist army personnel disqualified as minors will now be further delayed. We learned with great appreciation that talks on the modalities of this discharge had started and that preparations were under way prior to the current impasse. There is a need for all stakeholders to ensure that these steps have not been in vain and will lead to a swift implementation of the assurances given to the

Special Representative of the Secretary-General for Children and Armed Conflict, Ms. Radhika Coomaraswamy, in December 2008 that the discharge and rehabilitation of minors would proceed without further delay. We also believe that this task should be carried out in a transparent manner, in conformity with international standards and in close consultation and cooperation with the United Nations. The proliferation of militant youth wings affiliated with political groups is another concern in this context.

I also wish to stress the importance of the fight against impunity. During her official visit to Nepal in March of this year, the High Commissioner for Human Rights, Ms. Navanethem Pillay, warned that Nepal's peace process could be at risk unless justice is ensured for the victims of past and ongoing human rights abuses. We were encouraged by steps taken by the Nepalese Government to establish accountability for past violations through the development of transitional justice mechanisms. We wish to stress the need for any such mechanism to pay particular attention to the experiences of women and children during the conflict, and we encourage the Nepalese Government to continue its cooperation with the United Nations Development Fund for Women in order to include gender aspects in the transitional justice process, an effort which receives Austrian support.

We concur with the Secretary-General's view that the Office of the United Nations High Commissioner for Human Rights Nepal can continue to play an important positive role, not only in capacity-building for national human rights institutions, but in maintaining the confidence of all stakeholders in the peace process. We therefore hope that the presence of the office will be extended by the Nepalese authorities.

In view of the difficult current situation and the remaining challenges of the peace process, we encourage all involved in Nepal to take advantage of the expertise of the United Nations Mission in Nepal in supporting the peace process. Austria reaffirms its full support for the Mission and would appreciate it if the Secretary-General could include in his next report an assessment of the impact of the current crisis on the implementation of the peace process as well as the consequences for the United Nations presence on the ground, in particular in view of a possible prolongation of the mandate.

Mr. Koudougou (Burkina Faso) (*spoke in French*): I should like at the outset to congratulate you, Sir, on your assumption of the presidency of the Security Council for the month of May. I assure you of the close cooperation of my delegation. I wish also to pay tribute to Ambassador Heller and the Mexican delegation for the excellent manner in which they guided our work during the month of April.

I wish also to congratulate Ms. Karin Landgren on her appointment to the post of Representative of the Secretary-General in Nepal and to wish her every success in her mission. I thank her for her briefing this morning.

We are concerned at recent events in Nepal, which led to the resignation of the Prime Minister. Those events show that the situation in that country remains fragile and that a return to stability could be delayed. We therefore call upon political actors in Nepal to opt for dialogue in order to establish a genuine climate of mutual trust and to strengthen the nation's foundations.

The political rift among political actors and the difficulties faced by a number of institutions point to the need for additional efforts to create a more peaceful political climate. It would be a shame if the progress made in the peace process, which is described in the report of the Secretary-General (S/2009/221), were jeopardized. Moreover, the gains that have been made in drafting a constitution must be safeguarded. We therefore call upon all political actors to agree on a consensus draft.

One of the most difficult pending matters in Nepal is the integration and rehabilitation of Maoist army personnel. We therefore welcome the resumption of the work of the Special Committee mandated to follow up on this important issue. The establishment of the Technical Committee to support the Special Committee in its work also represents significant progress.

Similar efforts must be sustained in the field of demobilization, and that is why we call upon the United Nations to continue to support the Nepalese authorities in this area. It is encouraging to note that the establishment of a committee to monitor the implementation of the nine-point agreement has made possible the publication of a report on land and property seized by Maoists.

It is clear that all these achievements can be strengthened only in a peaceful socio-political climate. As a result, that means that efforts to support the development of Nepal must be further strengthened. We hope that the National Development Forum planned for mid-May 2009 will enable the Government to mobilize additional resources for the development of the country. We call upon the country team as well as all partners to sustain their efforts in this regard.

In spite of the recent holding of by-elections, we ask the various parties to discuss their differences with a view to creating a favourable climate for the peace process. We call upon the Government to abide by the commitments made.

In terms of safety and security, we look forward to the National Security Council contributing to the establishment of a healthy atmosphere. In spite of the Government's laudable initiatives, supported by the Office of the United Nations High Commissioner for Human Rights, the fight against impunity and ensuring respect for the human rights of minorities remain problematic issues. In this regard, we welcome the Government's significant efforts to establish mechanisms for transitional justice and for the fight against impunity. The United Nations, countries of the region and all of Nepal's partners must join in.

To conclude, we would like to thank and renew our support for the United Nations Mission in Nepal (UNMIN) through the Arms Monitoring Office and the Political Affairs Office. We urge the Mission to pay particular attention to the genuine demobilization of minors and call upon the Nepalese Government to honour its commitments in this area.

As we have seen, in spite of the progress that has been made, the situation in Nepal remains fragile and volatile. It is for that reason that my delegation, while fully subscribing to the progressive draw-down of UNMIN, would like to call upon the Security Council to undertake it prudently in order to preserve the progress that has been achieved to date. We thank the delegation of the United Kingdom for the preparation of a draft presidential statement, which my delegation supports.

Mr. Urbina (Costa Rica) (*spoke in Spanish*): I would like, Sir, to start by congratulating you and your delegation on your assumption of the presidency of the Security Council. I would reaffirm my delegation's cooperation in every way necessary. We would also like to commend the Mexican delegation and Ambassador Heller for their work last month in the presidency of the Security Council, for which we are very grateful.

My delegation is grateful for the briefing given by Ms. Landgren. We are pleased to welcome her to the Security Council for the first time, and we support her efforts at the helm of United Nations Mission in Nepal (UNMIN) to ensure a successful outcome to the reconciliation and peace processes in Nepal. We would also like to also state our gratitude to Mr. Ian Martin for his endeavours.

In view of recent political events, my delegation calls upon the parties, in the interests of stability, to strengthen the political dialogue which has come about at the cost of so much sacrifice. We have reached a crossroads where the political and military actors must continue to work together in a spirit of compromise that will enable them to carry out the agenda agreed to at the time of the extension of the mandate of UNMIN last January.

My delegation is of the view that it is crucial for the parties to place national interests first and foremost and that their conduct be in keeping with the commitments expressed in the Comprehensive Peace Agreement of 2006 and in conformity with the will of the people as expressed in last year's elections. Consolidating a multiparty political system that is inclusive, transparent, democratic and respectful of human rights is an objective that will favour peace and reconciliation.

My delegation shares the concerns of the delegations of Austria and Burkina Faso with regard to the reintegration of minors, the issue of human rights and the fight against impunity. We also hope that particular attention will be paid to situations that could jeopardize the peace process, in particular, situations that concern the integration and rehabilitation of ex-combatants into the Army as well as situations regarding human rights. Political players who possess the means to resolve the current crisis must work in a greater spirit of cooperation.

This political process must make it possible to build a better society in which the conditions necessary for national unity are to be found. Costa Rica will support all efforts to that end and encourages Ms. Landgren, as the representative of the United

Nations, to continue the good offices that will ensure progress on pending issues.

Mr. Rugunda (Uganda): We welcome Ms. Karin Landgren and thank her for her briefing on the latest developments in Nepal, especially regarding the peace process. The latest events in Nepal, leading to the resignation of the Prime Minister, events which other members have mentioned, have caused a great deal of concern to my delegation, especially as they could potentially derail the peace process, which has, until now, made significant progress. We call on all parties to remain calm and seek to address the contentious issues through dialogue.

While it is very important to resolve the misunderstandings at the earliest opportunity, a lasting solution will have to be reached in the framework of the ongoing constitutional process. In this regard, we welcome the progress made thus far in the constitution-making process and trust that the Constituent Assembly will be able to reconcile the views presented by the various parties, especially on the form of government. The National Security Council, mandated with the responsibility of making recommendations on the mobilization, operation and use of the Nepal Army as part of the process of strengthening civilian control over that Army, will also have to expedite its work.

We are convinced that, as the peace process moves forward, it is imperative to adequately focus on the proper integration of the Maoist army into the Nepal Army as a way of ensuring lasting peace. We urge the relevant authorities to address this matter as soon as possible. We welcome the formation of the Technical Committee, which has already taken up its function of supporting the Special Committee in drawing up a work plan for completing the integration and rehabilitation of verified Maoist army personnel.

Finally, we express our appreciation to the United Nations Mission in Nepal (UNMIN) for its contribution to the stability of Nepal, especially in its support for the peace process. Given the current political situation, UNMIN's role and its support for the Nepalese authorities in dealing with the immediate aftermath of the Prime Minister's resignation will be very important. We trust that, with the dedicated leadership of Ms. Landgren, the situation will be stabilized and the parties will move the process forward to its logical conclusion, which is the attainment of lasting peace and sustainable development in Nepal.

Mr. Lacroix (France) (*spoke in French*): I, too, should like to congratulate you, Sir, on your assumption of the presidency of the Security Council for the current month and to thank Ambassador Heller and his team for their excellent presidency during the month of April. I also thank Ms. Landgren for her briefing and in particular for the information that she provided on recent developments in Nepal.

Those developments are worrisome. The current crisis between the Government and the Army, which has led to the resignation of Prime Minister Prachanda, is a subject of concern, and the risk posed to the entire peace process is not negligible. This is even more regrettable because we had recently seen some limited but real progress in the peace process — progress referred to in the report of the Secretary-General (S/2009/221). In that context, we believe that it is even more important that the Security Council send a signal to the Nepalese parties calling on them for compromise and cooperation to move the peace process forward. In that connection, we support the draft presidential statement submitted by the delegation of the United Kingdom.

We have taken note of the official Nepalese statements that the conditions are right for the United Nations Mission in Nepal (UNMIN) to complete its mandate in June. We wish that that were so, but it seems a bit unrealistic to us, given the progress in the process of demobilizing Maoist ex-combatants and the current political crisis. Thus, the Nepalese parties should be aware that UNMIN will not remain in Nepal forever. Those parties have requested United Nations support for the peace process, but they must shoulder their responsibility to move the process forward, in particular with regard to the reintegration of Maoist ex-combatants.

We continue to hope that the Government's commitment to finally release the minors held in Maoist camps will become a reality as soon as possible. The obstruction of that situation cannot be tolerated, as a solution should be technically feasible in the near future.

Finally, we remain prepared to support maintaining a lighter United Nations presence to support the peace process, in one way or another, if the Nepalese Government considers it useful.

Mr. Shalgham (Libyan Arab Jamahiriya) (*spoke in Arabic*): I should like to join preceding speakers in

congratulating you, Sir, on your assumption of the presidency of the Security Council for the month of May. You can be assured of the cooperation of my delegation. I also wish to commend Ambassador Heller of Mexico and the entire Mexican delegation for the excellent leadership shown during their presidency in April. In addition, we welcome Ms. Landgren and thank her for her briefing and for the efforts of the United Nations Mission in Nepal (UNMIN) and a group of countries on behalf of Nepal.

We are closely following the situation in Nepal. We hope that recent events will not undermine the peace process in that country, especially since the peace process has been going through a critical phase requiring the cooperation of all parties to achieve reconciliation, unification and the implementation of the peace agreements and all other agreements reached, so that the people of Nepal can enjoy peace, stability and prosperity.

We were pleased to note Nepal's progress in the peace process, particularly with regard to a constitution and the future of the Nepal Army and the Maoist army. We hope that that progress will continue, so that the people of Nepal can draft a constitution guaranteeing the rights of all citizens, including those who have traditionally been marginalized. That would lend momentum to the peace process and help to bring about lasting stability in the country.

We welcome the resumption of the work of the Special Committee aimed at the reintegration and rehabilitation of Maoist army personnel, as well as the steps taken by the Government to demobilize them at various cantonment sites. We hope that those efforts will result in demobilization, especially for minors, and will help to bring about successful rehabilitation and reintegration within the desired time frame.

Despite all that has been accomplished, we remain concerned at the differences existing among the various political parties with regard to the current crisis, the murders, the abductions and the security problems, as well as the refusal of a number of groups to participate in dialogue. Thus, we call on all political parties and other relevant actors to work together to establish a dialogue and respect State institutions, striving to achieve compliance with the peace agreements, to strengthen the rule of law, to improve the security situation and to address impunity, taking into account the needs of marginalized groups. We believe that those are the prerequisites for the peace process.

Finally, we agree with the Secretary-General that, if the current political challenges continue, they will fray relations among various groups, to the detriment of compliance with the peace agreements and the peace process. Therefore, all political groups must work together to coordinate the peace process and to re-establish trust and a spirit of national unity and common policies.

Mr. Skračić (Croatia): My delegation would also like to congratulate you, Sir, on assuming the presidency of the Security Council for the month of May. We express our appreciation to Ambassador Heller and his team for the excellent work done during the previous month.

At the outset, Croatia would like to express its gratitude to Ms. Landgren for her comprehensive briefing updating us as to the situation on the ground, especially in light of the most recent, alarming events that have taken place in Nepal. Croatia joins others in expressing its deep concern over the current political turmoil in Nepal generated by months of continuing divisions and tensions among key political parties, which have continued to seriously impede the consolidation of peace. It is especially worrying that they have been allowed to culminate in the destabilization of the coalition Government and the paralysis of Nepal's fledgling democracy following the resignation of the Prime Minister over the controversial sacking and reinstatement of Nepal's Army chief.

The disturbing turn of events over the past few days has only served as a stark reminder that Nepal's troubles are far from over and that Nepal's peace process is facing its most severe test to date. In order to prevent any immediate collapse of the fragile architecture of the peace process, we call upon all sides to exercise full restraint and to avoid political or military retaliation, emphasizing the need to resolve the current crisis through dialogue and consensus with complete respect for the Constitution.

Following the current political impasse, we urge all parties to remain loyal to the commitment to the Nepalese people by re-establishing a consensus among all political parties, based on a genuine political dialogue aimed at completing the political process, underpinned by an inclusive State with full regard for human rights, and at ending impunity, so as to ensure

the Nepalese people a durable democratic and prosperous future.

We are encouraged by reported assurances by some political parties of their commitment to the peace process despite the current situation. To that end, we urge all political stakeholders to resume the progress made to date in the important process of building a constitution and to seriously address the remaining and difficult issue of supervision, integration and rehabilitation of Maoist combatants through the effective working of the Special Committee and specially mandated Technical Committee, and we urge the Government to implement its commitment to discharge minors from cantonments sites, all of whose ultimate success is central to lasting peace in Nepal.

Given the immense fragility of the current political situation, we support a clear and unanimous message from the Council that takes note of the problem. We further call on the Government to fulfill its assurances to the international community by continuing to take the necessary steps to create conducive conditions for the completion of the work of the United Nations Mission in Nepal (UNMIN), while recognizing the importance of maintaining international engagement in and in support of Nepal's peace process.

Finally, we would also like to express our deep appreciation and our full support for the important work of the Representative of the Secretary-General and her team in UNMIN under increasingly complex circumstances, as well as for the country team and the Office of the High Commissioner for Human Rights in Nepal.

The President (*spoke in Russian*): I shall now make a statement in my national capacity.

We are grateful to the Representative of the Secretary-General, Ms. Karin Landgren, for submitting the report on the United Nations Mission in Nepal (UNMIN) (S/2009/221) and for briefing us on recent developments in that country. We support the efforts of Ms. Landgren. We are pleased that the report welcomes the progress achieved in key areas of the Nepalese peace process. A serious discussion of developing a draft constitution and determining the future of the two armies has begun. The Special Committee on the integration and rehabilitation of Maoist army personnel has started regular consultations. A Constitutional Council and a National Security Council have been formed and have begun to establish local peace committees.

At the same time, we regret that, against that positive backdrop, in recent days negative trends have emerged in Nepal that are threatening the peace process. In the current situation, it is essential that all political forces in the country do their utmost to promptly resolve by consensus existing disputes on the basis of a political dialogue. We are confident that UNMIN, within its mandate, will provide the necessary support to the Nepalese for them to promptly overcome their problems. We will follow developments in that country.

I now resume my functions as president of the Council.

I now give the floor to the representative of Nepal.

Mr. Paudel (Nepal): First of all, Mr. President, I would like to express my sincere gratitude to you and the members of the Council for providing this opportunity to share our views in this meeting. I also congratulate you on assuming the presidency of the Council for this month.

We appreciate the report of the Secretary-General (S/2009/221) on United Nations support to the peace process. We would like to thank Ms. Karin Landgren, Representative of the Secretary-General, for her insightful briefing to the Council and we appreciate the role of the United Nations Mission in Nepal (UNMIN) in our peace process under her able leadership. We have taken note of the views expressed by Council members and we appreciate their contribution. We also appreciate the pledges of support to the Government and people of Nepal for the success of the peace process.

We have witnessed Nepal's historic transformation process moving forward with many ebbs and flows since the signing of the peace agreement. We are confident that the peace process will not drift from its progressive and steady course, since the political forces of Nepal are resilient and accommodative in nature. We believe that the flexible attitude of the political parties will guide them towards the logical conclusion of the peace process.

We are also confident that current situation in Nepal will be resolved soon through dialogue and consensus among the political parties in the

Constituent Assembly. It will in no way jeopardize the peace process.

I would like to reiterate before this Council once again that the political parties, despite their differences, are engaged in dialogue to forge consensus in the spirit of the Comprehensive Peace Agreement. The Constituent Assembly has been working vigorously on drafting a constitution. The Nepalese people are eager to see how their concerns and voices will be reflected in the new constitution-making process, once the Constituent Assembly puts forward a draft constitution for a final round of consultations among the people.

Similarly, the Special Committee on army integration and its Technical Committee are at work. Preparations to discharge the minors are making significant progress with the help of UNMIN and other United Nations agencies. We are determined to carry out our obligations in that regard.

We believe that the Council fully understands the throes of Nepal's historic transformation and that it stands by our side as a gesture of international support that will revitalize our efforts in the peace process. I would like to assure the Council that the Government of Nepal will make every sincere effort to allow UNMIN to complete its given activities by the end of its current mandate.

The President (*spoke in Russian*): I now give the floor to Ms. Landgren to reply to comments, observations and questions.

Ms. Landgren: First of all, Mr. President, let me thank you and other members of the Council for your kind words welcoming me to the Council and to United Nations Mission in Nepal (UNMIN) and for your appreciation for the work of my colleagues in UNMIN and in the Department of Political Affairs on the report (S/2009/221) before you. We have noted your comments regarding the next Secretary-General's report.

The concerns of the present moment are indeed acute, and the Security Council's attention to and support for the challenges of Nepal's democratic transition is extremely important. Let me take as a starting point the question of what can be done, especially by UNMIN. UNMIN will act within the scope of its mandate and, as the Council knows, that is a limited mandate, but we will build on our contacts and on our strong dialogue with all political parties and the armies, as we have, I believe, what is acknowledged as an impartial role in the peace process.

The immediate challenge will be the formation of a Government and progress in the elected Legislature-Parliament, without spoiling the process and inserting unconscionable delays into the procedure. There will be great temptations for that at this moment, and all parties will need to exercise restraint and show respect for the democratic process to which they have committed.

There will be a need for a continuing technical role in respect of integration and rehabilitation of Maoist army personnel. UNMIN is working very closely with the committees to provide them and the Ministry of Peace and Reconstruction with the support that they need and request. However, I want to underline that the resolution of that issue is not primarily a technical matter. It will be a difficult political negotiation. Nonetheless, we will support the committees, which are expected to present detailed and realistic proposals, on the basis of which the political discussions can take place.

The frustration among Maoist personnel is high at this stage, their having been in cantonments now for over two years, and it is essential that those discussions move forward. In the current context, the Joint Monitoring Coordination Committee (JMCC) becomes a particularly important mechanism, as in that forum, the Nepal Army and Maoist army come together under the chairmanship of UNMIN. Through all the rough patches of this peace process — and, as the Council knows, this is not the first — the JMCC has continued to meet and discuss; it has continued to bring together the Nepal Army and the Maoist army for discussions in a professional and civilized atmosphere. Now more than ever, I would suggest, this becomes an important dialogue forum for the armies.

With regard to the discharge of minors, I see a risk that, at this moment, this could become a low priority politically. UNMIN will continue with the United Nations partners to help move this forward without further delay.

The focus has been very much on security issues centring on the Nepal Army and the Maoist army. It is essential that the process be highly attentive to the rights and interests of various other identity-based groups. Clearly, the overriding national priority is the drafting of the new constitution, and that requires not

only consensus at the level of the political parties, but also a sense of ownership on the part of all groups — the sense that they too have a place in the new Nepal, without recourse to violence. We have seen several incidents of violence and boycott over the past several months. That means maintaining an ongoing and inclusive dialogue with the traditionally marginalized parties and groups.

As experts point out, Nepal is a country of minorities. The largest group accounts for some 16 per cent of the population, so unity is the only answer and dialogue is the only satisfactory way to move forward. UNMIN — given our mandate — is not directly involved in that, but there is a need to continue to draw attention to it, and we will do so.

I would like to mention that with the recent turbulent events, the National Development Forum which was scheduled for next week has been postponed. That Forum, which was bringing together high-level representation of multilateral and bilateral donors, has been an integral part of developing Nepal's new national development strategy. It is unfortunate that the Forum had to be delayed and we hope that it will come swiftly back on track.

In closing, I would like to again state my appreciation for the Council's close attention to the report and to the situation.

The President (*spoke in Russian*): I thank Ms. Landgren for her clarifications.

After consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council:

"The Security Council expresses its concern about the current political crisis in Nepal, and underscores the urgent need for the Government of Nepal and all political parties to continue to work together in the spirit of compromise. The Council notes the steps taken so far in the implementation of the peace process and recalls its full support for that process.

"The Security Council reaffirms its full support for the United Nations Mission in Nepal (UNMIN) and recalls resolution 1864 (2009) calling upon the Government of Nepal to continue to take the necessary decisions to create conditions conducive to completion of UNMIN's activities by the end of the current mandate, including through the work of the Special and Technical Committees for supervision, integration and rehabilitation of Maoist army combatants.

"The Security Council recalls the Government of Nepal's commitment to discharge minors from the cantonment sites and calls upon the Government of Nepal to implement that commitment in accordance with international law."

This statement will be issued as a document of the Security Council under the symbol S/PRST/2009/12.

There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 11.45 a.m.